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Doyle
Celeste 5/13/04

Lawson, Stacey

From: Lawson, Stacey
Sent: Wednesday, May 12, 2004 5:44 PM
To: 'ofccp-pulic@dol.gov'
Subject: Comments in response to 41 CFR Part 60-1

Mr. Joseph Dubray, Jr.,
Director, Division of Policy,
Planning and Program Development
Office of Federal Contract Compliance Programs

Re: 41 CFR Part 60-1

I am writing in response to the proposed regulations for the definition of an applicant.

We believe that it is important for the applicant pool to represent those individuals who are truly being considered for open positions. Those applicants who are truly considered are those which would meet the organizations advertised qualifications and also apply using the organization's standard application procedures. My experience has been that in practice, those individuals who do not meet the stated qualifications as is defined in the job description, are not considered as they are not considered qualified. Thus, those individuals should not be included in the applicant pool. To include those individuals in the applicant pool when they are not truly being considered, not only is not a true reflection of the applicant pool but also, inappropriately over inflates the applicant pool.

Secondly, I believe that it is important for the definition to encompass an organization's application deadline date. Individuals who express interest in a position should do so within the time frame as stated by the organization. Of course, this deadline should be made publicly known to all potential applicants. Individuals who express interest in a position beyond the application submission date and who, are otherwise, qualified, should not be considered as part of the applicant pool either.

We believe that the EEOC proposed definition is flawed in this regard. Moreover, there should be consistency between the two entities as this puts as an unfair administrative burden on employers.

As regulations are finalized in this regard, please give consideration to these issues.

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